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EXAMINER

GOODCHILD, WILLIAM J

ART UNIT

PAPER NUMBER

2445

NOTIFICATION DATE

DELIVERY MODE

01/09/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 4, 2008 has been entered.

### ***Specification***

1. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01. See specification, pages 24 and 31.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3-4, 7-9, 14-17 and 39-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Terrell et al., (US Publication No. 2002/0124108), (hereinafter Terrell).

Regarding claim 1, Terrell discloses a communication interface for providing an interface between a data link and a data processor, the data processor being capable of supporting an operating system and a user application [Terrell, paragraphs 6-12], the communication interface being arranged to:

apply to a first queue, said first queue being located in the address space of a user application, data received over the link and identified as being directed to a particular logical data port associated with that application [Terrell, paragraphs 32, 60, lines 13-16 and 61-62];

apply to a second queue of data received over the link and identified as being directed to the operating system [Terrell, paragraphs 32, 60, lines 13-16 and 61-62]; and  
analyse data received over the link and identified as being directed to the operating system or the data port to determine whether that data meets one or more predefined criteria, and if it does meet the criteria transmit an interrupt to the operating system [Terrell, paragraphs 31, lines 18-24].

Regarding claim 3, Terrell further discloses wherein the operating system has an address space and the second queue is located in that address space [Terrell,

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paragraph 61].

Regarding claim 4, Terrell further discloses wherein the user application and the operating system have the same address space [Terrell, paragraph 29].

Regarding claim 7, Terrell further discloses wherein one of the predefined criteria is such that if the data received over the link matches one or more predetermined message forms then the communication interface will transmit an interrupt to the operating system [Terrell, paragraph 31].

Regarding claim 8, Terrell further discloses wherein the communication interface is arranged to, if the data meets one or more of the predefined criteria and one or more additional criteria, transmit an interrupt to the operating system and transmit a message to the operating system indicating a port to which the data was addressed [Terrell, paragraph 31].

Regarding claim 9, Terrell further discloses wherein the additional criteria are indicative of an error condition [Terrell, paragraph 31].

Regarding claim 14, Terrell further discloses wherein the communication interface is arranged to analyse the content of each data unit received over the link and to determine in dependence on the content of that data unit which of the said queues to

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apply the data unit to [Terrell, paragraphs 31 and 61-62].

Regarding claim 15, Terrell further discloses wherein the communication interface is configurable by the operating system to set the said criteria [Terrell, paragraphs 60-62].

Regarding claim 16, Terrell further discloses wherein one or both of the communication interface and the operating system is responsive to a message of a predetermined type to return a message including information indicative of the status of the port [Terrell, paragraphs 31 and 60-62].

Regarding claim 17, Terrell further discloses the data processor being arranged to, when the processing of an application with which a data port is associated is suspended, set the criteria such that the communication interface will transmit an interrupt to the operating system on receiving data identified as being directed to that data port [Terrell, paragraphs 31 and 60-62].

Regarding claim 39, Terrell further discloses a communication interface as claimed in claim 1 [Terrell, paragraphs 6-12].

Regarding claim 40, Terrell further discloses a communication system as claimed in claim 17 [Terrell, paragraphs 6-12].

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 10-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Terrell as applied to claim 1 above, and further in view of Roberts et al., (International Publication No. WO 00/67131), (hereinafter Roberts).

Regarding claim 10, Terrell further discloses wherein the communication interface is arranged to support a third queue of data received over the link and addressed to a logical data port associated with a user application [Terrell, paragraphs 6-7 and 31]. Terrell does not specifically disclose and is arranged to apply to the first queue data units received over the link and of a form having a fixed length and to apply to the third queue data units received over the link and of a form having a variable length.

However, Roberts in the same field of endeavor discloses fixed and variable length packets [Roberts, page 22, 2nd paragraph or lines 3-17].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include variable length packets with fixed length packets in order to allow packets to pass through the network without delays.

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Regarding claim 11, Terrell-Roberts further discloses wherein the data units of a fixed size include messages received over the link and interpreted by the communication interface as indicating an error status [Terrell, paragraph 31].

Regarding claim 12, Terrell-Roberts further discloses wherein the data units of a fixed size include messages received over the link and interpreted by the communication interface as indicating a request for or acknowledgement of set-up of a connection [Terrell, paragraphs 6-7].

Regarding claim 13, Terrell-Roberts further discloses wherein the data units of a fixed size include messages received over the link and interpreted by the communication interface as indicating a data delivery event [Terrell, paragraphs 6-8].

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1, 3-4, 7-17 and 39-40 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Examiner's Note: Examiner has cited particular paragraphs / columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are

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applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner.

Should applicant amend the claims of the claimed invention, it is respectfully requested that applicant clearly indicate the portion(s) of applicant's specification that support the amended claim language for ascertaining the metes and bounds of applicant's claimed invention

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrice Winder/  
Primary Examiner, Art Unit 2445

WJG  
12/23/2008